

**Advisory Action  
Before the Filing of an Appeal Brief**

**Application No.**

10/600,295

**Applicant(s)**

WU ET AL.

**Examiner**

ANH-VU H. LY

**Art Unit**

2616

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 04 March 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Chi H Pham/  
Supervisory Patent Examiner, Art Unit 2616  
3/31/08

Continuation of 11, does NOT place the application in condition for allowance because: Applicant argues in the page 4 that according to paragraph 38 of Petty, ICW software application re-registers with the ICW registration server at regular intervals. The re-registration time interval may be set, for example, to occur at intervals of 10-20 minutes. If the ICW client computer loses Internet connectivity during an ICW session, as soon as the Internet connection has been established, the ICW registration server is updated with the new IP address of the ICW client computer. Thus, Petty discloses re-registering the client, e.g., every 10-20 minutes. In addition, Petty's teaching required a loss of Internet connection and subsequent updating of the registration server with the client's new IP address when the Internet connection has been established. Therefore, Petty does not disclose sending a new packet switched registration message whenever the packet switched data network assigns the client device a new packet switched network address. Examiner respectfully disagrees. As known in the art, DHCP server in a packet network of an ISP assigns new IP address to the client computers when a loss of connectivity occurs. In other words, the DHCP server will not assign a new IP address to the client computer if a loss of connectivity and the client computer will not update its new address to the ICW registration server. Therefore, the client computer registers its new IP address with the registration server only after receiving a new IP address, regardless of what causes a loss to occur. Further, Petty discloses that the re-registration time interval may be set, for example, to occur at intervals of 10-20 minutes. This time interval is associated with the re-registration. Once the client computer receives a new IP address, it keeps updating with the registration server at intervals of 10-20 minutes. Therefore, Petty discloses sending a new packet switched message whenever the packet switched data network assigns the client device a new packet switched network address.

Applicant further argues in page 5 that cited portions of Johansson fail to teach or suggest a random or pseudo-random number. Examiner respectfully disagrees. As known in the art, activation code is a random number that encrypted with a secret key such as private key and public key shared by the sending entity and receiving entity to increase network reliability and integrity. Therefore, activation code is an encrypted random number.

Applicant further argues in page 6 that Mohammadioun does not teach or fairly suggest sending a new circuit switch message to the client device if the client device has not communicated with the central authority for a predetermined time. Examiner respectfully disagrees. Mohammadioun discloses that the SMS message send process 180 starts an SMS transmission by initializing the retry count for the current notice message to one. The message is then sent to the carrier for the intended remote device 15. If the intended remote device 15 is in coverage, the event notice agent waits for a predetermined configurable time period. After this time period expires, the SMS message send process 180 checks to see if the client device has connected to the server. If so, the transmission is assumed to have been acknowledged and the transmission is complete. If not the SMS message send process checks to see if the number of retries has been exceeded the retry limit. If the retry limit has not been exceeded, the retry count is incremented, the wait period is increased, and the event notice message is resent (col. 8 - col. 9, 93-95 paragraphs). Herein, Mohammadioun discloses that if remote device does not return an acknowledgment within a time period, another message is sent.